

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

CYRUS SIMPSON, JR.,

Plaintiff,

- vs -

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

: Case No. 3:09-cv-143
:
: District Judge Thomas M. Rose
: Magistrate Judge Michael R. Merz
:
:
:

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #25), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that Plaintiff's Amended Motion for Attorney Fees Under Equal Access to Justice Act, 28 U.S.C. Section 2412(d), (Doc. 23), is granted in the amount of \$4,592.97 and no Order will issue regarding to whom such fees must be paid.

December 7, 2010

**s/THOMAS M. ROSE*

Thomas M. Rose
United States District Judge